

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANIMAL SCIENCE PRODUCTS, INC., et al.

Plaintiffs,

v.

CHINA NATIONAL METALS & MINERALS
IMPORT & EXPORT CORPORATION, et al.,

Defendants.

Civil Action No. 05-4376 (GEB) (ES)

(Document filed electronically)

DECLARATION OF FENG BA

I, Feng Ba, hereby state as follows:

1. My name is Feng Ba and I previously submitted a declaration to this Court dated February 3, 2008. D.I. 35-2.
2. As I explained in my previous declaration, I am the manager of Litigation Section in the Legal Department at Sinosteel Corporation ("Sinosteel"). D.I. 35-2. at ¶ 2. Sinosteel is incorporated under the Chinese law in China and 100% of its shares are owned by the Chinese government through the State-Owned Assets Supervision and Administration Commission of the State Counsel. D.I. 35-2 at ¶ 3. Sinosteel does not have any branch offices or other presence in the United States. *Id.*
3. As I explained in my previous declaration, Sinosteel Trading Company ("Sinosteel Trading") is incorporated under the Chinese law in China and 100% of its shares are owned by Sinosteel. D.I. 35-2 at ¶ 4. Sinosteel Trading does not have any branch office or other presence in the United States. *Id.*

4. In my role as litigation manager of Sinosteel, I am responsible for supervising all the litigation and arbitration matters involving Sinosteel and its subsidiaries, including Sinosteel Trading. D.I. 35-2 at ¶ 5.
5. I am providing the information in this declaration based on my personal knowledge concerning Sinosteel, Sinosteel Trading, the lawsuit captioned *Animal Science Products, Inc. v. China National Metals & Minerals Import & Export Corp. et al.*, Case No. 05-cv-04376-HAA-ES, pending the United States District Court for the District of New Jersey, and in support of Sinosteel and Sinosteel's motion to dismiss the Amended Complaint for lack of subject matter jurisdiction and/or abstention.
6. Sinosteel and Sinosteel Trading are traders of magnesite, including various grades of Dead-Burned Magnesite ("DBM") and Caustic-Calcinated Magnesite ("CCM"). As traders, Sinosteel and/or Sinosteel Trading sell magnesite to brokers (such as Possehl, Inc.) and others, which then sell the magnesite to others, including the end user.
7. Sinosteel and Sinosteel Trading obtain the magnesite they sell by purchasing magnesite from local producers in China.
8. Sinosteel does not export magnesite from China and does not import magnesite into the United States. For every sale made by Sinosteel or Sinosteel Trading, the magnesite is delivered to the customer, whether a broker (e.g., Possehl) or an end user, at some location in China. Sinosteel and Sinosteel Trading is unaware of the ultimate location where the magnesite may be delivered or used, and is not involved in the delivery of the magnesite to that final location.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: June 26, 2009
Beijing, China

A handwritten signature in black ink, consisting of stylized Chinese characters, positioned above a horizontal line.

Feng Ba